

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 Pension Fund,
STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 Welfare Fund,
STEPHEN FLANAGAN as Trustee of the General Building Laborers' Local 66 Annuity Fund,
STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 Laborers' Employer Cooperative and Educational Trust Fund, STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 Greater NY Laborers' Employer Cooperative and Educational Trust Fund,
STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 Training Program,
STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 New York State Health and Safety Fund, STEPHEN FLANAGAN as Business Manager of General Building Laborers' Local Union No. 66 of the Laborers' International Union of North America, AFL-CIO, and STEPHEN FLANAGAN as a Trustee of the General Building Laborers' Local 66 Vacation Fund,

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**
17-CV-5875(DRH)(ARL)

Plaintiffs,

-against-

LJC DISMANTLING CORP.,

Defendant.

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Presently before the Court is the Report and Recommendation of Magistrate Judge Arlene R. Lindsay, dated June 3, 2020, recommending that Plaintiffs' motion for default judgment be granted and that Plaintiffs be awarded damages as follows: (1) \$30,903.03 for delinquent contributions, (2) \$3,385.14 in interest on those unpaid contributions, (3) \$3,385.14 in liquidated damages, (4) \$1,750.00 for attorneys' fees and (5) \$465.00 in costs, for a

total award as against defendant LJC Dismantling Corp. of \$42,683.77. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the June 3, 2020 Report and Recommendation of Judge Lindsay as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' motion for default judgment is granted and Plaintiffs are awarded damages as follows: (1) \$30,903.03 for delinquent contributions, (2) \$3,385.14 in interest on those unpaid contributions, (3) \$3,385.14 in liquidated damages, (4) \$1,750.00 for attorneys' fees and (5) \$465.00 in costs, for a total award as against defendant LJC Dismantling Corp. of \$42,683.77. Post-judgment interest shall accrue pursuant to 28 U.S.C. § 1961. The Clerk of Court is directed to enter judgment accordingly and to close this case.

SO ORDERED.

Dated: Central Islip, New York
July 21, 2020

s/ Denis R. Hurley
Denis R. Hurley
United States District Judge